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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,518	10/17/2001	Jean-Marc Wanner	NY-GRYN 204-US	7690

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EXAMINER	
PHAM, TUAN	

ART UNIT	PAPER NUMBER
2643	3

DATE MAILED: 11/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/981,518	WANNER, JEAN-MARC	
	Examiner	Art Unit	
	TUAN A PHAM	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 October 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *2*.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brandon (U.S. Patent No. 5,903,632) in view of Alexander (U.S. Patent No. 5,684,868).

Regarding claim 1, Brandon teaches telephone comprising (see figure 1, telephone 1):

a memorization device (see figure 2, static RAM 39, col.3, ln.54) for memorizing data related to incoming and/or outgoing calls on a telephone line (see col.3, ln.54-59) wherein the memorization device is operable to memorize the data as a function of the line state of the telephone line, thereby providing reliable data even when calls originate or terminate from or on another telephone on the telephone line (see col.2, ln.58-62).

It should be noticed that Brandon fails to clearly teach a detector for outputting a line state signal of the telephone line to the memorization device. However, Alexander teaches such features (see col.1, ln.30-67, col.3, ln.1-17) for a purpose of detecting and monitoring the status of incoming or outgoing calls.

Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of a detector for outputting a line state signal of the telephone line to the memorization device, as taught by Alexander,

into view of Brandon in order to detect the line hook states and store the information at the time the incoming and outgoing calls was made.

Regarding claim 2, Alexander further teaches a telephone wherein the indication device comprises an unanswered call indicator for indicating when an incoming call is not answered as determined from the line state signal (see col.5, ln.20-32).

Regarding claim 3, Alexander further teaches a telephone wherein the line state of the telephone is either a busy state or a free state; and wherein the memorization or indication device is operable to memorize communication times of incoming calls by determining time elapsed between two line state changes for each incoming call (see col.5, ln.1-32).

Regarding claim 4, Brandon further teaches a telephone wherein the memorization or indication device is operable to memorize received numbers of the incoming calls (see col.3, ln.53-58).

Regarding claim 5, Alexander further teaches a telephone wherein the line state of the telephone is either a busy state or a free state, and wherein the memorization or indication device is operable to memorize duration of outgoing calls by determining time elapsed between two line state changes for each outgoing call (see col.5, ln.1-32)

Regarding claim 6, Brandon further teaches a telephone wherein the memorization or indication device is operable to memorize called numbers (see col.5, ln.35-55).

Regarding claim 7, Alexandria further teaches a telephone further comprising a called number detector for detecting numbers dialed on the telephone line, thereby

memorizing call numbers dialed from other telephones on the telephone line (see col.5, ln.1-30).

Regarding claim 8, Brandon further teaches a telephone wherein the called number tone detector is a DTMF generator (see col.2, ln.55-60).

Regarding claim 9, Brandon further teaches a telephone further comprising: a processor having a memory; a device for receiving programming signals over the telephone line, the programming signal being downloaded to the memory of the processor; and wherein the processor is operable to restore the data as a function of the line state of the telephone line (see col.3, ln.20-52).

Regarding claim 10, Brandon teaches telephone comprising (see figure 1, telephone 1):

a memorization device (see figure 2, static RAM 39, col.3, ln.54) for memorizing data related to incoming and/or outgoing calls on a telephone line (see col.3, ln.54-59) wherein the memorization device is operable to memorize the data as a function of the line state of the telephone line (see col.2, ln.58-62).

It should be noticed that Brandon fails to clearly teach a detector for outputting a line state signal of the telephone line to the memorization device. However, Alexander teaches such features (see col.1, ln.30-67, col.3, ln.1-17) for a purpose of detecting and monitoring the status of incoming or outgoing calls.

Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of a detector for outputting a line state signal of the telephone line to the memorization device, as taught by Alexander,

into view of Brandon in order to detect the line hook states and store the information at the time the incoming and outgoing calls was made.

Regarding claim 11, Brandon teaches telephone comprising (see figure 1, telephone 1):

a memorization device (see figure 2, static RAM 39, col.3, ln.54) for memorizing data related to incoming and/or outgoing calls on a telephone line (see col.3, ln.54-59) wherein the memorization device is operable to memorize the data as a function of the line state of the telephone line, thereby providing reliable data even when calls originate or terminate from or on another telephone on the telephone line (see col.2, ln.58-62).

It should be noticed that Brandon fails to clearly teach at least one telephone comprising a line detector for outputting a line state signal of a telephone line, and at least one telephone without the memorization device. However, Alexander teaches such features (see col.1, ln.30-67, col.3, ln.1-17, col.3, ln.60-65)) for a purpose of detecting and monitoring the status of incoming or outgoing calls.

Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of a telephone comprising a line detector for outputting a line state signal of a telephone line, and at least one telephone without the memorization device, as taught by Alexander, into view of Brandon in order to detect the line hook states and store the information at the time the incoming and outgoing calls was made.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In order to expedite the prosecution of this application, the applicants are also requested to consider the following references. Although Klausner et al. (U.S. Patent No. 5,524,140), Windsor et al. (U.S. Patent No. 5,734,706), and Kamota (U.S. Patent No. 5,410,593) are not applied into this Office Action. They are also called to Applicants attention. They may be used in future Office Action(s). These references are also concerned for supporting the method and device for displaying a hold service on multifunction telephone set and the telephone answering device linking display data with recorded audio message.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tuan A. Pham** whose telephone number is (703) 305-4987 and E-mail address is: **tuan.pham@USPTO.GOV**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (703) 305-4708 and

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Or faxed to:

(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington VA, Sixth Floor (Receptionist, tel. No. 703-305-4700).

Art Unit 2643

Date: November 14, 2003

Examiner

Tuan Pham

BINH TIEU
PRIMARY EXAMINER